

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1470 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning state
- 3 offices and administration.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 5-22-17-5.5 IS ADDED TO THE INDIANA
- 7 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 8 [EFFECTIVE UPON PASSAGE]: **Sec. 5.5 (a) An agency of the state**
- 9 **may not:**
- 10 (1) enter into a contract with; or
- 11 (2) make a grant to;
- 12 a person who fails to make a report of child abuse or neglect under
- 13 IC 31-33-5, if the contract or grant involves the expenditure of
- 14 state funds or federal funds administered by the state.
- 15 (b) State funds or federal funds appropriated by or
- 16 administered by the state may not be used for any contract with or
- 17 grant made to a person who is not in compliance with IC 31-33-5.
- 18 (c) Any appropriation by the state:
- 19 (1) in a budget bill;
- 20 (2) under IC 5-19-1-3.5; or
- 21 (3) in any other law of the state;
- 22 to pay for a contract with or grant made to a person who is not in
- 23 compliance with IC 31-33-5 is canceled, and the money
- 24 appropriated is not available for payment of any contract or grant

1 with money from an appropriation that is canceled under this
 2 subsection.

3 (d) For any contract with or grant made to a person covered
 4 under subsection (c), the budget agency shall make a determination
 5 that funds are not available, and the contract or grant shall be
 6 terminated under IC 5-22-17-5.

7 SECTION 2. IC 31-9-2-133 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 133. (a) "Victim of
 9 child abuse or neglect", for purposes of IC 31-32-11-1 and IC 31-33
 10 (excluding IC 31-33-5), refers to a child in need of services as
 11 described in:

12 (1) IC 31-34-1-1 through IC 31-34-1-5;

13 (2) IC 31-34-1-10; or

14 (3) IC 31-34-1-11.

15 ~~(b)~~ The term does not include a child who is alleged to be a child in
 16 need of services if the child is alleged to be a victim of a sexual offense
 17 under IC 35-42-4-3 unless the alleged offense under IC 35-42-4-3
 18 involves the fondling or touching of the buttocks, genitals, or female
 19 breasts.

20 (b) "Victim of child abuse or neglect", for purposes of
 21 IC 31-33-5, refers to a child in need of services described in:

22 (1) IC 31-34-1-1 through IC 31-34-1-5;

23 (2) IC 31-34-1-10; or

24 (3) IC 31-34-1-11."

25 Renumber all SECTIONS consecutively.

(Reference is to HB 1470 as printed February 20, 2009.)

Representative Walorski